

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ADEKUNLE A. ONATOLU,

Plaintiff,

-against-

CITY PHELPS,

Defendants.

20-CV-7609 (CM)

ORDER OF DISMISSAL
UNDER 28 U.S.C. § 1651

COLLEEN McMAHON, Chief United States District Judge:

On July 9, 2015, Plaintiff was barred from filing any new action *in forma pauperis* (IFP) without first obtaining from the Court leave to file. *See Onatolu v. U.S. Army*, ECF 1:15-CV-2829, 4 (S.D.N.Y. July 9, 2015). Plaintiff files this new case *pro se* and seeks IFP status, but he has not sought leave from the Court to file this action.¹ This action is therefore dismissed without prejudice for Plaintiff's failure to comply with the July 9, 2015 order.

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith and therefore *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

Dated: September 17, 2020
New York, New York



COLLEEN McMAHON
Chief United States District Judge

¹ Plaintiff attaches to his complaint a notice of appeal, a motion for extension of time to file a notice of appeal, and a motion for leave to proceed IFP on appeal. At the time Plaintiff filed his complaint, however, there was no order in this action from which to appeal, and the Court therefore does not address these documents.